

86<sup>th</sup> Legislative Session – 2011

Committee: House Local Government

Tuesday, February 15, 2011

P - Present  
E - Excused  
A - Absent

Roll Call

P Deelstra  
P Feickert  
P Kloucek  
P Magstadt  
P Munsterman  
P Olson (Betty)  
P Rausch  
P Schrempp  
P Tornow  
P Tulson  
P Venner  
P Cronin, Vice-Chair  
P Kirkeby, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Mark Kirkeby, Chair.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 10, 2011

Moved by: Deelstra  
Second by: Tornow  
Action: Prevailed by voice vote.

HB 1104: revise the deadline for withdrawing from a primary election.

Presented by: Representative Jon Hansen  
Proponents: Jason Gant, Secretary of State  
Carrie Gonsor, SD Assn of County Officials

MOTION: AMEND HB 1104

1104fb

On page 1 of the printed bill, delete lines 7 to 9, inclusive, and insert "nominating petition was filed pursuant to § 12-6-4, not later than ~~the second to two days after~~ the last Tuesday in March at five p.m. If the request is mailed by registered mail ~~by the second to~~ not later than two days after the last Tuesday in March at five p.m., the request is properly filed. No name that".

Moved by: Cronin  
Second by: Rausch  
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1104 AS AMENDED

Moved by: Tornow  
Second by: Olson (Betty)  
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Deelstra, Feickert, Kloucek, Magstadt, Munsterman, Olson (Betty), Rausch, Schrempp, Tornow, Tulson, Venner, Cronin, Kirkeby

HB 1158: revise the filing deadlines for the nomination of certain independent candidates.

Presented by: Representative Mark Kirkeby

MOTION: DEFER HB 1158 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Cronin  
Second by: Rausch  
Action: Prevailed by roll call vote. (12-1-0-0)

Voting Yes: Deelstra, Feickert, Kloucek, Magstadt, Munsterman, Rausch, Schrempp, Tornow, Tulson, Venner, Cronin, Kirkeby

Voting No: Olson (Betty)

HB 1179: permit local political subdivisions with volunteer advanced life support personnel to establish deferred compensation plans.

Presented by: Representative Frank Kloucek

MOTION: DO PASS HB 1179

Moved by: Kloucek

Second by: Schrempp

Action: Prevailed by roll call vote. (9-4-0-0)

Voting Yes: Deelstra, Kloucek, Magstadt, Munsterman, Rausch, Schrempp, Tulson, Cronin, Kirkeby

Voting No: Feickert, Olson (Betty), Tornow, Venner

Gavel passed to Vice Chair Cronin

HB 1252: grant certain authority to municipalities and counties regarding outdoor advertising structures.

Presented by: Representative Mark Kirkeby

Proponents: Yvonne Taylor, SD Municipal League

Bob Wilcox, SD Association of County Commissioners

Debra Jensen, Self, Rapid City

Lisa Modrick, Self, Rapid City

Opponents: Dick Gregerson, Lamar

Bill Nevin, Department of Transportation

Michele Brich, SD Innkeepers Association

Brendan Casey, Self, Rapid City

Lorin Pankratz, Visitor Industry Alliance

David Owen, SD Chamber of Commerce & Industry

Ron Olinger, SD Retailers Association

MOTION: AMEND HB 1252

1252fb

On the printed bill, delete everything after the enacting clause and insert:

" Section 1. That § 31-29-69 be amended to read as follows:

31-29-69. Nothing in §§ 31-29-61 to 31-29-83, inclusive, authorizes any local authority to prohibit ~~outdoor advertising~~ any on-premise sign throughout its jurisdiction. However, ~~any~~ the local

authority may prohibit any other new outdoor advertising structures in its jurisdiction. Any such regulation and control shall be reasonable and reasonably related to the needs of the business community to adequately and properly advertise its goods and services of benefit to the traveling public."

Moved by: Munsterman  
Second by: Rausch  
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION TO TABLE HB 1252

Moved by: Tornow  
Second by: Magstadt  
Action: Failed by roll call vote. (6-7-0-0)

Voting Yes: Feickert, Magstadt, Munsterman, Rausch, Tornow, Tulson

Voting No: Deelstra, Kloucek, Olson (Betty), Schrempp, Venner, Cronin, Kirkeby

THE MOTION TO AMEND HB 1252

1252fb

On the printed bill, delete everything after the enacting clause and insert:

" Section 1. That § 31-29-69 be amended to read as follows:

31-29-69. Nothing in §§ 31-29-61 to 31-29-83, inclusive, authorizes any local authority to prohibit ~~outdoor advertising any on-premise sign~~ throughout its jurisdiction. However, ~~any the local authority may prohibit any other new outdoor advertising structures in its jurisdiction. Any~~ such regulation and control shall be reasonable and reasonably related to the needs of the business community to adequately and properly advertise its goods and services of benefit to the traveling public."

Moved by: Munsterman  
Second by: Rausch  
Action: PREVAILED BY VOICE VOTE.

THE MOTION TO DO PASS HB 1252 AS AMENDED

Moved by: Venner  
Second by: Munsterman  
Action: PREVAILED BY ROLL CALL VOTE. (8-5-0-0)

Voting Yes: Deelstra, Kloucek, Munsterman, Olson (Betty), Schrempp, Venner, Cronin, Kirkeby

Voting No: Feickert, Magstadt, Rausch, Tornow, Tulson

Gavel passed to Chair Kirkeby

MOTION: ADJOURN

Moved by: Deelstra  
Second by: Olson (Betty)  
Action: Prevailed by voice vote.

Jeanette Black  
Committee Secretary

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Mark Kirkeby, Chair